

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re	§	
	§	Case No. 21-42807-169
Spruill's Properties, LLC	§	Chapter 11
	§	
Debtor.	§	Re: Doc. Nos. 1, 6, 7, 9

**ORDER GRANTING DEBTOR'S MOTION TO VACATE ORDER OF DISMISSAL
AND TO RECONSIDER DISMISSAL OF BANKRUPTCY CASE**

Spruill's Properties, LLC (the "Debtor") commenced its bankruptcy case, docketed as case number 21-42807-169 (the "Case"), under Chapter 11 of Title 11 of the United States Code ("Bankruptcy Code") on July 29, 2021 ("Petition Date") by filing an Official Form 201 - Voluntary Petition for Non-Individuals Filing for Bankruptcy (the "Petition"), an Official Form 204 - Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders, and a Corporate Ownership Statement (Rule 7007.1) with this Court. Doc. No. 1 at 1-6, 8. The Debtor also filed a creditor matrix with the Petition (the "Creditor Matrix"). Id. at 7. Due to deficiencies in the Creditor Matrix, this Court entered its order dismissing the Case pursuant to Local Rules 1002(A)(2) and 1007-7 on August 2, 2021 (the "Order Dismissing Case"). Doc. No. 6.

On August 3, 2021, the Debtor filed a Verification of Creditor Matrix – Amended, along with an amended creditor matrix and a memorandum compliant with Local Rule 1009(A) identifying the changes made in the amended creditor matrix to address the deficiencies enumerated in the Order Dismissing Case. Doc. No. 7. The Debtor also filed its Debtor's Motion to Vacate Order of Dismissal and to Reconsider Dismissal of Bankruptcy Case (the "Motion") that same day. Doc. No. 9. The Motion seeks vacation of this Court's August 2, 2021 order dismissing the Case and reinstatement of the Case, asserting that the deficiencies that resulted in dismissal

resulted from administrative errors remedied by the Debtor's August 3, 2021 filings. Doc. No. 9 at 1-2, ¶¶ 3-4. No objections or other responses to the Motion appear of record and cause exists to grant the relief requested in the Motion.

Accordingly, this Court now **ORDERS** that the Debtor's Motion to Vacate Order of Dismissal and to Reconsider Dismissal of Bankruptcy Case [Doc. No. 9] be **GRANTED**.

This Court further **ORDERS** that the Order Dismissing Case [Doc. No. 6] be **SET ASIDE** in its entirety.

This Court further **ORDERS** that the Case and the stays of section 362 of the Bankruptcy Code, 11 U.S.C. §§ 101-1550, are hereby **REINSTATED**. All motions pending as of dismissal of the Case hereby are reinstated without calendar dates. The Debtor shall obtain a hearing date and time, reset all motions pending as of August 3, 2021 and provide notice to all appropriate parties. Failure to comply with these provisions of this Order within fourteen (14) days of the date of this Order may result in the grant of any such motion/s upon a movant's application.

This Court further **ORDERS** that the Office of the United States Trustee may take all steps necessary to schedule and provide notice of the meeting of creditors in the Case in accordance with its standard operations.

This Court further **ORDERS** that the Clerk of Court shall prepare, enter and send to all parties on the amended creditor matrix the Official Form 309F (For Corporations or Partnerships) - Order and Notice of Chapter 11 Bankruptcy Case upon receipt of all necessary information for its completion.

This Court further **ORDERS** that, no later than two business days after the date of this Order, the Debtor is directed to serve a copy of this Order on all creditors and parties in interest in

the Case and file a certificate of service no later than twenty-four hours after service.

DATED: August 13, 2021
St. Louis, Missouri
jjh



BONNIE L. CLAIR
United States Bankruptcy Judge

Copies to:

All creditors and parties in interest.